

PATENT

Att'y Docket No. ROC920030026US1 (IBM/244)  
Confirmation No. 9970

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence for Application No. 10/626,086 is being electronically transmitted to Technology Center 2155, via EFS-WEB, on November 21, 2006.

/Scott A. Stinebruner/  
Scott A. Stinebruner, Reg. No. 38,323

November 21, 2006  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Roy Block et al. Art Unit: 2155  
Application No.: 10/626,086 Examiner: Thuong Nguyen  
Filed: July 24, 2003  
For: CLUSTER DATA PORT SERVICES FOR CLUSTERED COMPUTER SYSTEM

Cincinnati, Ohio 45202

November 21, 2006

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF APPEAL BRIEF (PATENT APPLICATION-37CFR 191)**

1. Transmitted herewith is the APPEAL BRIEF in this application with respect to the Notice of Appeal received by the Office on August 22, 2006.

2. **STATUS OF APPLICANT**

This application is on behalf of

**XX** other than a small entity

       small entity status requested

       small entity status previously requested and still proper

3. **FEE FOR FILING APPEAL BRIEF**

Pursuant to 37 CFR 1.17(f) the fee for filing the Appeal Brief is:

<u>      </u>	Small entity	\$250.00
<u><b>XX</b></u>	<b>Other than a small entity</b>	<b>\$500.00</b>

**4. EXTENSION OF TIME**

Applicant petitions for an extension of time under 37 C.F.R. 1.136(a) for the total number of months checked below:

<u>Months</u>		<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<u>X</u>	one month	\$ ..... 120.00	\$ ..... 60.00
_____	two months	..... 450.00	..... 225.00
_____	three months	..... 1,020.00	..... 510.00
_____	four months	..... 1,590.00	..... 795.00
_____	five months	..... 2,160.00	..... 1,080.00

Fee: **\$120.00**

If an additional extension of time is required, please consider this a petition therefor.

**5. TOTAL FEE DUE**

The total fee due is:

Appeal Brief Fee **\$500.00**  
Extension Fee **\$120.00**

**6. FEE PAYMENT**

\_\_\_\_ Attached are checks in the sums of \_\_\_\_\_ and \_\_\_\_\_, respectively.  
\_\_\_\_ Charge fee to Deposit Account No. 23-3000.  
**XX** **Charge fees to Credit Card per attached Electronic Fee Sheet.**

**7. FEE DEFICIENCY**

**XX** Charge any additional extension fee required or credit any overpayment to Deposit Account No. 23-3000.

WOOD, HERRON & EVANS, L.L.P.

By /Scott A. Stinebruner/

Scott A. Stinebruner

Reg. No. 38,32

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